



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Paula Doughty, *Chair*
Steven P. Simpson, *Vice Chair*
Myron E. Bateman
Clyde L. Bunker
Merritt K. Frey
Darrell H. Mensel
Leland J. Myers
Neal L. Peacock
Gregory L. Rowley
Amanda Smith
Daniel C. Snarr
Jeffery L. Tucker
Walter L. Baker
Executive Secretary

Utah Water Quality Board Meeting DEQ Building Board Room #1015 195 North 1950 West Salt Lake City, Utah 84116 **December 6, 2012**

Work Meeting Begins @ 8:30 a.m.

Financial Workshop.....Ed Macauley, Emily Canton and Keith Burnett, staff to CIB

Board Meeting Begins @ 9:30 a.m.

AGENDA

- A. **Water Quality Board Meeting – Roll Call**
- B. (Tab 1) **Approval of Minutes for October 24, 2012**
- C. **Introduction of new DWQ Employee: Lenora Sullivan..... Jim Harris**
- D. **Executive Secretary's Report Walt Baker**
- E. (Tab 2) **Funding Requests:**
 - 1. Financial Status Report..... Emily Canton
 - 2. Elwood Request for Supplemental Funding John Cook
- F. (Tab 3) **Other Business:**
 - 1. "Beneficial Uses and Water Quality Assessment Map"Mark Stanger

Next Meeting – January 23, 2013
DEQ Building Board Room #1015
195 North 1950 West
Salt Lake City, Utah 84116

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1

2

3

4

APPROVAL OF MINUTES

5

FUNDING REQUEST

6

OTHER BUSINESS

7

8



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MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

DEQ Building Board Room #1015

195 North 1950 West

Salt Lake City, Utah 84116

Wednesday, October 24, 2012

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Myron Bateman	Clyde Bunker	Paula Doughty
Greg Rowley	Amanda Smith	Darrell Mensel
Steven Simpson	Dan Snarr	Merritt Frey
Leland Myers	Jeffery Tucker	

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, John Whitehead, Leah Ann Lamb, Emily Cantón, Jeff Ostermiller, Ed Macauley, John Cook, Rob Herbert, Dan Hall

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Paul McConkie	Attorney General Office
Rob Dubuc	Living Rivers
Joro Walker	Living Rivers
Christopher Hogle	U.S. Oil Sands
Benjamin Machlis	U.S. Oil Sands
Paul Jakus	Utah State University
Mary Jo Kealy	CH2MHill
John Manrich	Citizen
Pam Gill	Kearns Imp. Dist.
Dale Pierson	Rural Water Assoc of Utah
Lance Wood	CWSID
Mike Embley	Mt. Olympus Imp. Dist.
A John Davis	US Oil Sands
Barclay Cuthbert	US Oil Sands
Marie Taylor	Citizen
Jeffrey Davis	Cardno Entrix
Leslie Heppler	Utah DOGM

195 North 1950 West • Salt Lake City, UT

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MWH
The Associated Press
Utah SITLA
Citizen
Utah AG's Office
Brown & Caldwell
Ironworkers Local Union 27

Chair Doughty called the Board meeting to order at 9:35 a.m. and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE SEPTEMBER 26, 2012 MEETING

Motion: It was moved by Mr. Bateman and seconded by Mr. Peacock to approve the minutes of the September 26, 2012. The motion was unanimously approved.

Executive Secretary's Report: Mr. Baker updated the board on R317-4, which is the onsite wastewater disposal rule. DWQ Staff has met with a stakeholder's group which includes developers, home builders, local health department (LHD) and Agriculture. It's been a lengthy process getting these people together and there is quite a bit of interest in this rule. DWQ has been asked to go before the Legislature's Administrative Rules Review Committee to talk about our process. We've done that. There's still an issue that revolves around delegation to the LHD's to accept alternative onsite wastewater disposal systems. Currently there are a limited number of LHD's which accept that delegation and the stakeholders are questioning why. Other issues exist such as: testing, percolation testing and issues on certification to design. The intention is to complete work with the stakeholder groups before bringing the rule back to the Board.

Regarding the Red Butte oil spill, although a settlement has been reached, there are other issues still to be resolved with Chevron before the NOV can be closed out. One of which will require Chevron to monitor for two more years. This approach will be taken for public comment soon.

There will be a press release going out shortly which will list other water bodies in the state regarding fish mercury advisories.

FUNDING REQUEST

Financial Assistance Status Report– Ms. Cantón updated the Board on the “Summary of Assistance Program Funds,” as outlined on page 2.1.

Green River request to convert Planning Advance to a Grant – Mr. Cook introduced Pat Brady, the Mayor of Green River. At the February 23, 2011 Water Quality Board meeting, the City of Green River requested and received a \$23,000 Planning Advance to prepare a design study which would determine the best method of disinfecting the effluent for their lagoon's discharge. During the process of this study it was determined that the required scope of the project was much larger than expected and that the design and construction of a land application system would be required in order to meet Green River City's current and future discharge requirements. Because of a change in project scope the new planning cost was estimated at \$30,000. Green River has requested that the Water Quality Board convert the \$23,000 Planning Advance authorized February 23, 2011 to a \$30,000 Planning Grant since Green River will not be requesting construction funding from the Board and, therefore has no way to pay back the Planning Advance (the Community Impact Board authorized construction funding for this project).

Motion: **It was moved by Mr. Myers to approve converting the \$23,000 Planning Advance authorized February 23, 2011 to a \$30,000 Planning Grant. The motion was seconded by Mr. Simpson and was unanimously approved.**

In The Matter of U.S. Oil Sands PR Spring Tar Sands Project Ground Water Discharge Permit-By-Rule, No. WQ PR-11-001: Chairperson Paula Doughty introduced Kimberlee McEwan from the Attorney General's Office. Ms. McEwan explained to the Board and audience the procedure that will be followed during the proceeding. Ms. Kimberlee McEwan represented the Water Quality Board. Assistant Attorney General Mr. Paul McConkie represented the

Executive Secretary and the Division of Water Quality, Mr. Rob Dubuc and Ms. Joro Walker represented Living Rivers. And Mr. Christopher R. Hogle and Mr. Benjamin Machli represented U.S. Oil Sands. The purpose of the hearing was to hear oral arguments from the parties and to determine whether to approve as is, to approve with modifications, or to disapprove the Administrative Law Judge's (ALJ's) memorandum and recommended order or to remand the matter back to the ALJ with further actions as directed by the Board. Each party had 15 minutes to present its arguments. The order of the proceeding was: first, Mr. McConkie representing the Division of Water Quality, second, Mr. Dubuc and Ms. Walker representing Living Rivers; and third, Mr. Hogle and Mr. Machlis representing U.S. Oil Sands.

Motion: **It was moved by Mr. Bunker to approve the ruling made by the ALJ. The motion was seconded by Mr. Bateman and was approved with Mr. Mensel and Ms. Frey voting against. Mr. Myers added to the motion a request that DWQ staff review the definition of ground water, the status of de minimus, and other related issues as suggested by the Board.**

**Next Meeting – December 6, 2012, 9:30 a.m.
DEQ Building Board Room #1015
195 North 1950 West
Salt Lake City, Utah 84116**

Paula Doughty, Chair
Utah Water Quality Board

	2nd Qtr FY 2013	3rd Qtr FY 2013	4th Qtr FY 2013	1st Qtr FY 2014	2nd Qtr FY 2014	3rd Qtr FY 2014
STATE REVOLVING LOAN FUND (SRF)	Oct - Dec 2012	Jan - Mar 2013	Apr - June 2013	July - Sept 2013	Oct - Dec 2013	Jan - Mar 2014
Funds Available						
SRF - 1st Round (LOC) 2012 Cap Grant	\$ 2,358,144	\$ -	\$ -	\$ -	\$ -	\$ -
State Match	\$ 491,376	\$ -	\$ -	\$ -	\$ -	\$ -
SRF - 2nd Round	\$ 43,272,332	\$ 30,935,802	\$ 37,161,097	\$ 38,976,005	\$ 41,059,540	\$ 42,608,192
Interest Earnings at 0.6%	\$ 66,748	\$ 47,718	\$ 57,321	\$ 60,120	\$ 63,334	\$ 65,723
Loan Repayments	\$ 661,203	\$ 6,177,576	\$ 3,039,588	\$ 2,023,414	\$ 1,485,318	\$ 5,968,593
<i>Total Funds Available</i>	\$ 46,849,802	\$ 37,161,097	\$ 40,258,005	\$ 41,059,540	\$ 42,608,192	\$ 48,642,508
Project Obligations						
Granger-Hunter Improvement District	\$ (2,452,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Kearns Improvement District 2011	\$ (5,905,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Santaquin City	\$ (2,734,000)	\$ -	\$ -	\$ -	\$ -	\$ -
South Valley WRF - NonPoint Source	\$ (305,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Loan Authorizations						
Coalville	\$ -	\$ -	\$ (1,282,000)	\$ -	\$ -	\$ -
Echo Sewer SSD	\$ (218,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Francis City	\$ (4,300,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Projects in Planning						
Long Valley Town	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Total Obligations</i>	\$ (15,914,000)	\$ -	\$ (1,282,000)	\$ -	\$ -	\$ -
SRF Unobligated Funds	\$ 30,935,802	\$ 37,161,097	\$ 38,976,005	\$ 41,059,540	\$ 42,608,192	\$ 48,642,508

Hardship Grant Funds Financial Projections

	2nd Qtr FY 2013 Oct - Dec 2012	3rd Qtr FY 2013 Jan - Mar 2013	4th Qtr FY 2013 Apr - June 2013	1st Qtr FY 2014 July - Sept 2013	2nd Qtr FY 2014 Oct - Dec 2013	3rd Qtr FY 2014 Jan - Mar 2014
HARDSHIP GRANT FUNDS (HGF)						
Funds Available						
Beginning Balance	\$ -	\$ 4,186,839	\$ 4,888,960	\$ 3,928,028	\$ 3,490,895	\$ 3,572,494
Federal HGF Beginning Balance	\$ 9,804,302	\$ -	\$ -	\$ -	\$ -	\$ -
State HGF Beginning Balance	\$ 742,949	\$ -	\$ -	\$ -	\$ -	\$ -
Interest Earnings at 0.6%	\$ 16,269	\$ -	\$ -	\$ -	\$ -	\$ -
UWLP Interest Earnings at 0.6%	\$ 13,907	\$ 8,154	\$ 9,653	\$ 11,215	\$ 12,729	\$ 14,175
Hardship Grant Assessments	\$ -	\$ 326,983	\$ 1,052,481	\$ 478,337	\$ -	\$ 413,892
Interest Payments	\$ 3,185	\$ 80,984	\$ 269,934	\$ 73,315	\$ 68,870	\$ 71,943
Hardship Advance Repayments	\$ -	\$ 1,094,000	\$ 1,187,000	\$ -	\$ -	\$ -
Total Funds Available	\$ 10,580,613	\$ 5,696,960	\$ 7,408,028	\$ 4,490,895	\$ 3,572,494	\$ 4,072,504
Project Obligations						
Blanding City - Planning Adv.	\$ (39,900)	\$ -	\$ -	\$ -	\$ -	\$ -
Coalville - Planning Adv.	\$ (25,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Coalville - Construction Grant	\$ -	\$ -	\$ (3,480,000)	\$ -	\$ -	\$ -
Duchesne County - Hancock Cove	\$ (22,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Eagle Mountain - Planning Advance	\$ (18,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Echo Sewer SSD - Construction Grant	\$ (251,000)	\$ -	\$ -	\$ -	\$ -	\$ -
*Elwood Town	\$ (191,200)	\$ -	\$ -	\$ -	\$ -	\$ -
Eureka City - Planning Adv.	\$ (61,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Francis City - Construction Grant	\$ -	\$ (808,000)	\$ -	\$ -	\$ -	\$ -
Francis City - Design Advance	\$ (1,094,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Green River - Planning Grant	\$ (30,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Heber Valley - Planning Grant	\$ (68,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Projects in Planning						
None at this time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Non-Point Source Obligations						
DEQ - Economic Study of Nutrient Removal	\$ (88,401)	\$ -	\$ -	\$ -	\$ -	\$ -
DEQ - Nutrient Reduction Benefit Study	\$ (5,053)	\$ -	\$ -	\$ -	\$ -	\$ -
DEQ - Willard Spur Study	\$ (1,092,464)	\$ -	\$ -	\$ -	\$ -	\$ -
Division of Wildlife Resources - Sevier River	\$ (26,349)	\$ -	\$ -	\$ -	\$ -	\$ -
Twelve Mile Canyon	\$ (139,743)	\$ -	\$ -	\$ -	\$ -	\$ -
UACD	\$ (82,669)	\$ -	\$ -	\$ -	\$ -	\$ -
UDAF	\$ (1,000,000)	\$ -	\$ -	\$ -	\$ -	\$ -
Utah Farm Bureau	\$ (48,930)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2009 - Remaining Payments	\$ (88,485)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2010 - Remaining Payments	\$ (212,548)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2011 - Remaining Payments	\$ (174,788)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2012 - Remaining Payments	\$ (665,436)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2013 Allocation	\$ (968,807)	\$ -	\$ -	\$ -	\$ -	\$ -
FY 2014 Allocation	\$ -	\$ -	\$ -	\$ (1,000,000)	\$ -	\$ -
Non-Point Source Projects in Planning						
None at this time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Obligations	\$ (6,393,774)	\$ (808,000)	\$ (3,480,000)	\$ (1,000,000)	\$ -	\$ -
HGF Unobligated Funds	\$ 4,186,839	\$ 4,888,960	\$ 3,928,028	\$ 3,490,895	\$ 3,572,494	\$ 4,072,504

2.2

*Projects being presented to the WQB

Date Printed: 11/20/2012

WQB
ETM



State of Utah

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Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

TO: Utah Water Quality Board

THROUGH: Walter L. Baker, P.E.
Executive Secretary

FROM: Johnathan Cook, P.E.
Environmental Engineer

DATE: November 9, 2012

SUBJECT: Elwood Town
Request for Additional Grant Funding Due to Construction Cost Overrun

On February 25, 2009 the Water Quality Board authorized a construction grant of \$550,000 and a loan of \$1,560,000 to Elwood to design and construct a \$7,110,000 wastewater collection and treatment system to serve a key area of the community, and lay an effective framework for the eventual construction of a town-wide sewer system. At the September 28, 2011 Board meeting, the combined principal forgiveness and grant amount was increased to \$2,132,000 because of increased project costs due to delays caused by the Army Corps of Engineers, changes in site conditions, and changes in design requirements.

The construction of the new sewer collection and treatment system has gone quite well. But there have been some required change orders along the way. These change orders have been summarized in Tables 1 and 2. These change orders increased the construction costs by approximately 6.9%, which was greater than the project contingency fund.

The Town of Elwood has pledged \$45,084.40 in Community Development Block Grant funds to cover a portion of the cost of repaving 4800 West Street and 9600 North Street. They are requesting an additional \$191,200 in Hardship Grant to cover the remaining costs. Table 3 shows all of the changes in the project budget from the time of Bid Opening to completion of construction. Table 4 summarizes the proposed changes in project funding to account for the project overrun.

Staff recommends that the Water Quality Board increase the Construction Grant to Elwood by up to \$191,200 to provide up to a maximum amount of \$2,323,200.00 in principal forgiveness and construction grants subject to these additional conditions:

- 1. Any unspent grant funds remaining at the completion of the project must be expeditiously returned to the Water Quality Board.**

2.3

Table 1
Rupp Trucking (Collection)

Change Order	Change in Cost Increase/(Decrease)	Change
1	\$31,339.40	Change of pipe materials from HDPE to PVC
2	\$13,770.00	Additional base material for the access road & reduction in pipe. Reduction in quantity of 4" and 8" diameter force main piping
3	\$92,165.09	Add ADS Irrigation pipe to replace a ditch for slope stability south of the winter storage pond. 50KW Generators for Pump Stations #1 and #2. Add a 4" diameter fiberglass electrical conduit at the treatment plant site.
4	(\$280,260.00)	Eliminate UDOT roadway resurfacing. Eliminate UDOT Type C chip seal. Reduce quantity of UDOT road restoration.
5	\$57,776.36	Reconstruct 10000 North
6	(\$244,692.00)	Reduce the quantity of road restoration by 17,400 square yards.
7	\$582,736.10	Reconstruct 4800 West Street and 9600 North Street
8	\$105,389.94	Reconstruct 4400 West Street, reconstruct 9600 North Street, and balancing change order
Total Change Orders	\$358,224.89	

Original Contract \$4,203,888.12

Final Contract Amount = \$4,562,113.01

Percent Increase = 8.5%

Table 2
Spindler Construction (Treatment)

Change Order	Change in Cost Increase/(Decrease)	Change
1	\$9,079.45	Remove project sign. Additional rebar. Change pipe material for the force main. Add a sampler. Additional piping to the aeration basin. Upgrade air blowers to include VFDs. Upgrade the circuit breakers. Add a 6" to 4" pipe reducer to the DBBR Basin
2	\$26,040.11	Chain link fencing
3	\$66,832.00	150KW Backup generator at the treatment plant site.
4	\$9200.00	Additional seeding
5	\$16,072.96	Chlorine detector, additional controls and switches, DBBR Tank influent box, Transducers for DBBR Tank, and balancing change order
Total of Change Orders	\$127,224.52	

Elwood Memo to the Water Quality Board
November 9, 2012
Page 3

Original Contract \$2,837,295.00
Final Contract Amount = \$2,964,519.52
Percent Increase = 4.5%

Overall Increase in Construction Costs = 6.9%

Table 3
Comparison of Project Bid to Project Construction

	Budget After Bid Opening	Project Construction	Difference
Legal & Bonding	\$25,000.00	\$25,274.00	\$274.00
DWQ Loan Origination Fee	\$15,600.00	\$15,600.00	\$0.00
Planning & Environmental Design	\$103,000.00	\$102,846.37	-\$153.63
Design	\$567,000.00	\$680,997.39	\$113,997.39
Construction Management Services	\$400,000.00	\$286,152.22	-\$113,847.78
Construction – Treatment Plant	\$2,837,295.00	\$2,964,519.52	\$127,224.52
Construction – Collection	\$4,203,888.12	\$4,562,113.01	\$358,224.89
Contingency	\$255,216.88	\$0	-\$255,216.88
Property, Easements, and Direct Purchases	\$165,000.00	\$189,611.58	\$24,611.58
Repay Planning & Design Advance	\$619,000.00	\$619,000	\$0.00
Total	\$9,191,000	\$9,446,114.09	\$255,114.09

Percent Increase = 2.8%

Table 4
Comparison of Existing Funding to Proposed Funding

	September 28, 2011 Authorization	Proposed Cost Sharing
WQB Planning & Design Advance	\$619,000.00	\$619,000.00
WQB Construction Grant and Principal Forgiveness	\$2,132,000.00	\$2,323,200.00
WQB SRF Loan	\$1,560,000.00	\$1,560,000.00
US Army Corps of Engineers	\$4,880,000.00	\$4,880,000.00
Escrow Interest	\$0	\$18,866.63
Local Share from CDBG funds	\$0	\$45,084.40
Total	\$9,191,000	\$9,446,151.03

Local Share = 17.7% of Overrun
Increase in WQB Construction Grant = \$191,200.00

F:\Projects\Elwood\2008 New Sewer System\Authorization\2012-11-09 Reauthorization for construction memo.docx
File: Elwood, Admin. Sec. 1

Water board backs oil sands project

Eastern Utah operation to be first of its kind in U.S.

By Paul Foy
Associated Press

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Published: Wednesday, Oct. 24 2012 8:47 p.m. MDT

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Summary

Utah gave its final approval Wednesday for the first commercial tar sands project in the U.S., handing a victory to a Canadian company that aims to start producing 2,000 barrels of oil next year in the start of what could grow into a larger operation.

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Sept. 26, 2012

Conflict heats up over tar sands mining in Utah
Sept. 10, 2012

SALT LAKE CITY — Utah gave its final approval Wednesday for the first commercial tar sands project in the U.S., handing a victory to a Canadian company that aims to start producing 2,000 barrels of oil next year in the start of what could grow into a larger operation.

The Water Quality Board upheld the decision of state regulators and turned back an appeal from a Moab-based environmental group that vows to take up its fight in the state courts.

Living Rivers has fought the project every step of the way, arguing that tar sands mining will contaminate groundwater in a largely undeveloped area of Utah's Book Cliffs region that drains into the Colorado River.

State regulators and the company insist the eastern Utah desert is so dry there is no significant groundwater to pollute. An administrative law judge agreed, sending a recommendation for approval to the Water Quality Board, which held hours of arguments before upholding a crucial state permit Wednesday by a 9-2 vote.

U.S. Oil Sands Inc. has said it was raising the money it needs to start digging after working since 2005 to obtain or defend its state approvals. Executives said they planned to produce oil from a 62-acre mountaintop

News

Tuesday, November 13, 2012 | Last Updated: 01:01 am

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Comments sought on Red Butte 'draft decision document'

Water quality » Analysis says no further cleanup needed related to June 2010 oil spill.

The Salt Lake Tribune

First Published Nov 08 2012 03:02 pm • Last Updated Nov 08 2012 11:46 pm

The public is being invited to comment on a "draft decision document" related to the June 2010 oil spill into Red Butte Creek that concludes no further cleanup by Chevron Pipe Line Co. is needed.

The Utah Division of Water Quality will accept comments Friday through Dec. 10.

At a glance

Comments sought on Red Butte oil spill

○ The public comment period on the "draft decision document," which concludes no further cleanup by Chevron Pipe Line Co. is needed, begins Friday and runs through Dec. 10.

Comments can be emailed to Chris Bittner at cbittner@utah.gov. For more information, <http://1.usa.gov/LRbbY2>.

Join the Discussion

» Post a Comment

cbittner@utah.gov before 5 p.m. Dec. 10.

More information on the proposed "Draft Decision Document" and proposed compliance order, and all other related documents, can be found at <http://1.usa.gov/LRbbY2>.

An earlier November 2011 settlement required Chevron to pay a \$3.5 million penalty; \$3 million of that to be used on restoration projects that enhance or protect the waterways harmed by the spill and a civil penalty of \$500,000 to the state of Utah. Chevron also paid \$1 million to Salt Lake City.

An open house is set for 5:30-7:30 p.m. on Nov. 28 at the Pingree School Gymnasium, 780 S. Guardsman Way. Representatives from the division, Utah Department of Health, Salt Lake City and Salt Lake Valley Health Department will be present.

"The Human Health and Ecological Risk Assessments" found that traces of contamination remaining in the creek are not a threat to human health or the environment, according to John Whitehead, assistant division director. Continued monitoring of the creek water, sediment and insects to confirm these conclusions would be required to continue through 2015.

"Chevron is not completely off the hook," Whitehead said. "The risk assessments show that the water quality of Red Butte Creek is similar to that of other urban Salt Lake-area creeks unaffected by the oil spill. However, if additional contamination from the spilled oil is found in the future, Chevron can be required to do additional cleanup."

Written comments on the draft decision document and related compliance order can be emailed to Chris Bittner at

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3.3

Deseret News

Public input sought on Red Butte Creek oil spill document

Published: Tuesday, Nov. 13 2012 2:28 p.m. MST



Workers from Salt Lake City Fire Department and Chevron work to clean up an oil spill at the Red Butte Gardens next to the University of Utah Thursday, Dec. 2, 2010, in Salt Lake City, Utah. (Tom Smart, Chopper 5, Deseret News)

SALT LAKE CITY — The public is invited to comment on a document that brings closure to cleanup of the 2010 Red Butte Creek oil spill.

The Utah Division of Water Quality is seeking input on a draft decision document and a related compliance order that brings closure to the requirements outlined in the notice of violation issued to Chevron Pipe Line Co. on July 13, 2010, in response to oil released into Red Butte Creek in June 2010.

The draft decision document concludes that no further cleanup is needed since the human health and ecological risk assessments found that traces of contamination remaining in the creek are not a threat to human health or the environment. Continued monitoring of the creek water, sediment and insects to confirm these conclusions would be required to continue through 2015.

"Chevron is not completely off the hook," said John Whitehead, Division of Water Quality assistant director. "The risk assessments show that the water quality of Red Butte Creek is similar to that of other urban Salt Lake-area creeks unaffected by the oil spill. However, if additional contamination from the spilled oil is found in the future, Chevron can be required to do additional cleanup."

The 30-day comment period will run through Dec. 10. An open house also will be held 5:30-7:30 p.m. Wednesday, Nov. 28, at the Pingree School Gymnasium, 780 S. Guardsman Way. Representatives from the Division of Water Quality, Salt Lake City, Utah Department of Health and Salt Lake Valley Health Department will be in attendance at the meeting.

Written comments on the draft decision document and related compliance order can be emailed to Chris Bittner at cbittner@utah.gov before 5 p.m. Dec. 10. More information can be found at www.deq.utah.gov/locations/redbutte/index.htm.

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3.4

Deseret News

Mercury advisory issued for fish, two Utah water

By Amy Joi O'Donoghue , Deseret News

Published: Thursday, Oct. 25 2012 2:33 p.m. MDT

SALT LAKE CITY — State officials Thursday issued an advisory regarding elevated mercury found in striped bass in two southern Utah bodies of water.

The warning includes fish in Lake Powell from Dangling Rope Marina, south to the San Juan counties, and Quail Creek Reservoir in Washington County.

The advisory also comes with revised consumption guidelines.

Pregnant women and children under age 6 should limit their consumption of striped bass to one 8-ounce meal per month, the advisory states. Women of childbearing age and children under 16 should limit their consumption of striped bass to two 8-ounce meals per month. Women past childbearing age and men older than 16 should limit their consumption to eight 8-ounce meals per month.

The health department advises that consumption of fish over those levels over a long period could result in an intake of mercury that exceeds federal health recommendations.

Mercury is a naturally occurring element that can be transformed into methylmercury found in some natural waters. Chronic exposure to low concentrations of methylmercury can result in neurological effects in developing fetuses and children.

Previous sampling of mercury had found elevated levels in brown trout at Jordane's Lake reservoirs, Weber and Duchesne rivers and the east fork of the Sevier River. Other Utah fish found to have elevated mercury include rainbow trout, walleye and smallmouth bass.

3.5

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(Tribune File Photo) Lake Powell. The state has issued its first mercury fish-consumption advisory for the state's popular recreation hot spot.

High mercury lands Lake Powell fish on food alert list

Environment » Two water bodies added to the consumption advisory, bringing the list to 21.

By Judy Fahys | The Salt Lake Tribune

First Published Oct 25 2012 09:44 am • Last Updated Oct 25 2012 11:19 pm

Striped bass from the southern reaches of Lake Powell, along with largemouth bass in Quail Creek Reservoir, have joined the list of Utah fish with [mercury consumption advisories](#).

Bringing the statewide tally to 21 locations statewide, the advisories cover stripers caught south of Dangling Rope Marina in Lake Powell and all of Quail Creek Reservoir in Washington County.

"We thought it was time to get the message out to people," Amy Dickey of the Utah Division of Water Quality told the Statewide Mercury Work Group on Thursday, noting that methylmercury levels in Lake Powell's stripers have hovered around the worrisome zone for several years.

With this first mercury warning for Lake Powell, one of the state's most popular recreation spots, officials suggest pregnant women and children under 6 should eat no more than one 4-ounce serving per month.

Women of childbearing age and children from 6 to 16 should limit consumption to two 8-ounce servings per

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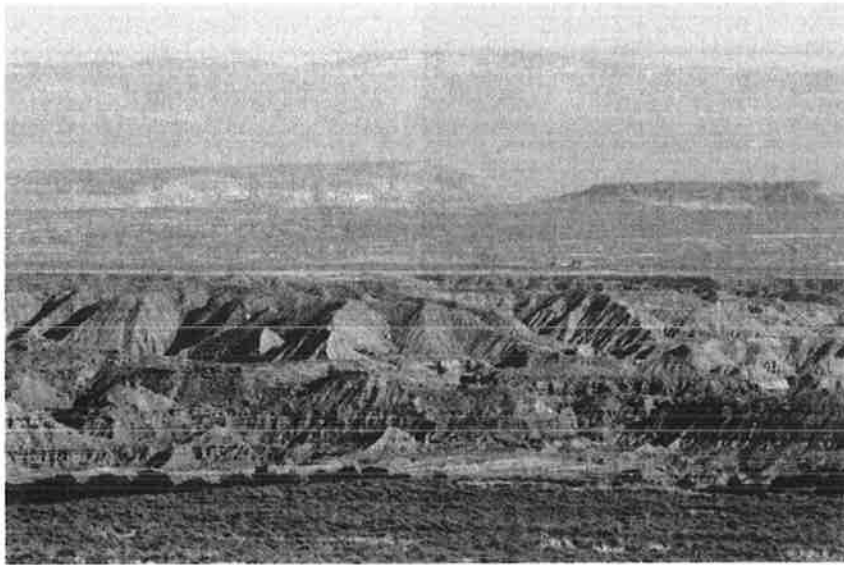
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(Rick Egan | Tribune file photo) The Book Cliffs area south of Vernal is proposed for the nation's first commercial tar sands mine.

Utah board OKs the nation's first commercial tar sands project

Environment » Opponents claim the mine would pollute groundwater in the Book Cliffs area of eastern Utah; proponents say it is risk-free.

By Judy Fahys | The Salt Lake Tribune

First Published Oct 24 2012 10:59 am • Last Updated Oct 24 2012 07:35 pm

A state panel gave a key approval Wednesday to start a tar sands mine in Utah's wild Book Cliffs in eastern Utah.

After hearing from the company behind the project, Alberta-based U.S. Oil Sands, as well as the group that appealed the initial project approval, Moab-based Living Rivers, board members voted 9-2 to uphold [the state's previous OK](#) of the project, the nation's first fuel producing tar-sands mine.

Rob Dubuc, Living Rivers attorney, said: "We're likely to appeal" in court.

Water Quality Division Director Walt Baker signed off on the proposal last year without requiring a groundwater-pollution permit. Basically, he concluded that there is no groundwater to pollute in the project site, around 213 acres in the arid high country between Vernal and Moab.

In August, Administrative Law Judge Sandra Allen agreed with Baker, and the water-quality board reviewed that conclusion on Wednesday. Darrell H. Mensel, representing

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